

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

V.

CASE NO. 4:19-CR-683-KGB-3

ELMAREO SPEED

DEFENDANT

ORDER

Defendant Elmareo Speed has moved for reconsideration of the Court's order denying pretrial release. (Doc. No. 48) As a basis for the motion, Mr. Speed notes that state charges pending at the time of his federal bond hearing—kidnaping, breaking and entering, and third-degree domestic battery—were resolved through his guilty plea to aggravated assault on a family member. The state court suspended imposition of sentence in that assault conviction. The United States opposes the motion to reconsider detention. (Doc. No. 50)

At the December 20, 2019 bond hearing in this case, the Court found by clear and convincing evidence that Mr. Speed's release would pose an unreasonable risk of danger to the community based on his violent criminal history, including multiple domestic battery charges, drug charges, and charges of being a felon in possession of a firearm. (Doc. No. 16)

A court may revisit the issue of pretrial detention if it finds changed circumstances “that ha[ve] a material bearing on the issue [of] whether there are conditions of release that will reasonably assure the appearance of such person as required or the safety of any other person and the community.” 18 U.S.C. § 3142(f). The resolution of Mr. Speed's

state charges does not have a material bearing on whether there are conditions of release that would reasonably assure public safety. For that reason, the motion is DENIED.

SO ORDERED, this 17th day of May, 2021.


UNITED STATES MAGISTRATE JUDGE